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# United States District Court

## EASTERN DISTRICT OF NORTH CAROLINA

BRYAN O'NEAL BENSON, )  
Plaintiff, )  
                        )  
                        )  
                        )     **JUDGMENT IN A CIVIL CASE**  
                        )  
                        )     **CASE NO. 5:07-CV-359-F**  
v.                      )  
                        )  
MAGISTRATE B. FLATLEY, )  
Defendant.             )  
                        )

       **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

X **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that the court hereby ADOPTS the Magistrate Judge's M&R. Plaintiff's Motion to Proceed *In Forma Pauperis* is ALLOWED, this action is DISMISSED. The Clerk of Court is DIRECTED to close this case and remove it from the court's docket.

THE ABOVE JUDGMENT WAS ENTERED TODAY, **November 7, 2007**, AND A COPY MAILED VIA ELECTRONICALLY OR BY REGULAR MAIL TO:

Bryan O'Neal Benson  
1420 S. Wilmington St.,  
Raleigh, NC 27603

November 7, 2007  
Date

DENNIS P. IAVARONE  
Clerk of Court

/s/ Susan K. Enyart

*Wilmington, North Carolina*

*(By) Deputy Clerk*